

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JANE FISHER, as Personal  
Representative of, and Administrator of  
the Estate of, THEODORE DELUCIA,  
deceased,

Plaintiff,

v.

AMERICAN HONDA MOTOR  
COMPANY, INC.,

Defendant.

CIVIL ACTION

FILE NO.: 1:24-cv-00280-ELR

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**NOTICE TO TAKE FIRST 30(b)(6) DEPOSITION OF DEFENDANT**

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TO: DEFENDANT AND ITS ATTORNEYS:

**PLEASE TAKE NOTICE**, that pursuant to Fed.R.Civ.P. 30(b)(6) and 26, the stenographic and video-recorded deposition of Defendant will be taken before a qualified Notary Public at 999 Peachtree St NE Suite 1130, Atlanta, Georgia 30309 on April 8, 2024, beginning at 9:00 a.m., and thereafter by adjournment until the same shall be completed.

Pursuant to Fed.R.Civ.P. 30(b)(6), Defendant shall designate and fully prepare one or more officers, directors, managing agents or other persons who consent to testify on their behalf, and whom Defendant will fully prepare to testify

regarding the following designated matters, and as to such related information that is known or reasonably available to Defendant and their organization:

### **OUR SIMPLE REQUEST**

If you have any questions about these definitions or topics, what we are looking for, what we mean by a particular word/phrase, etc., please call or write so we can discuss any issues **before your designee attends the deposition, and in enough time for the designee to fully prepare for the deposition.** If your designee attends the deposition, purporting to be prepared in the manner required by Georgia law, and explains that he or she cannot provide the requested information because they do not know, or are uncertain about, what is meant by any definition above, or topic below, you are setting up an inefficient and wasteful cycle of additional depositions and, ultimately, motions for sanctions. We would like to work with you in an attempt to avoid those hopefully unnecessary escalations, which waste the scarce time and resources of the parties and—more importantly—the Court. Please reach out to us.

### **MATTERS OF EXAMINATION**

1. AHM's interpretation of all electronic data retrieved from the Subject Vehicle (*i.e.*, all information in Honda's possession that can be determined from the data retrieved from the vehicle.
2. All Honda and/or Acura vehicles that contain either the same or similar components in their seating related to the classification of vehicle occupants, or the same or similar manner and method of classifying vehicle occupants.

3. The specifications concerning:
  - a. The occupant classification system in the Subject Vehicle;
  - b. The latch time for each and every occupant classification change, to include the way in which each decision is latched, and the maximum time frame allowed for each latch;
  - c. The front passenger airbag systems in the Subject Vehicle;
  - d. The interaction between the above-referenced systems;
  - e. The suppression of the passenger front airbag in the subject crash.
4. The Bates Number for the documents containing the information concerning Topic 3 above, including all subtopics, and/or the names of the documents containing any such information if it has not yet been produced.
5. The meaning, context, application of, and other information related to Bates No. AHM002786 and the broader documents containing the same.
6. With respect to the Subject Vehicle, all specifications of, and algorithms related to, the following:
  - a. Occupancy Time (OPDS);
  - b. Final Judgment Time (OPDS);
  - c. Transition Count (SWS); and
  - d. Judgment Count (SWS).
7. Testing related to the 2006 Pilot in which the passenger front airbag system deployed, regardless of whether the test was related to the airbag system, to include all barrier and car to car testing for the 2006 Pilot passenger airbag system.
8. Simulations using crash test data to evaluate fire times for the airbag crash sensing system related to the 2006 Pilot passenger airbag system.

9. The evaluation, design, development, installation, and field performance of any Low Risk Deployment passenger airbags at Honda that were considered for use as the passenger airbag system to comply with the “Low Risk Deployment” option for meeting the out of position six year-old and or three year old dummy testing under FMVSS 208 in or before 2006.
10. The calibration matrix related to the 2006 Pilot passenger airbag system (*i.e.*, the simulated trigger times for the final calibration of the 2006 Pilot passenger airbag system).
11. The evaluation, design, development, installation, and field performance of the Low Risk Deployment passenger airbag system installed in the 2004 Honda Accord and 2004 Honda Odyssey other LRD passenger airbag systems utilized by Honda in or before 2006.
12. All warnings that Honda provided to owners and users of the 2006 Pilot concerning the front passengers, the airbag system, and the occupant classification system.
13. Other instances about which Honda is aware, where the front passenger airbag system in a First Generation (2003-2008) Honda Pilot was suppressed, and the front passenger suffered injury or death, to include the way(s) in which Honda became aware of each, the documents and communications related to each (including any research or investigation), and any actions that Honda took as a result, if any.
14. Other instances about which Honda is aware, where the front passenger airbag system in any vehicle that is responsive to Topic No. 2 above was suppressed, and the front passenger suffered injury or death, to include the way(s) in which Honda became aware of each, the documents and communications related to each (including any research or investigation), and any actions that Honda took as a result, if any.
15. All facts upon which Defendant bases its affirmative defenses.

Respectfully submitted this 1<sup>st</sup> day of April, 2024.

**ASHBY | THELEN | LOWRY**

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**CERTIFICATE OF SERVICE**

I certify that I have served each of the parties with a copy of this document by filing it with this Court via the CM/ECF system, which will automatically send email notification of such filing to the attorneys of record.

This 1<sup>st</sup> day of April, 2024.

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